

AO 91 (Rev. 11/11) Criminal Complaint

United States Courts  
Southern District of Texas

FILED

March 05, 2024

Nathan Ochsner, Clerk of Court

**Sealed**Public and unofficial staff access  
to this instrument are  
prohibited by court order**UNITED STATES DISTRICT COURT**

for the

Southern District of Texas

United States of America

v.

JAZON EVAN ELIZONDO

Case No.

**4:24-mj-0095**

Defendant(s)

**CRIMINAL COMPLAINT**

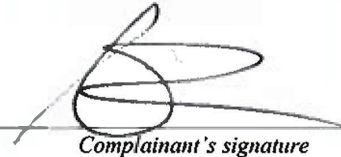
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 5, 2024, in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*18 U.S.C. §§ 922(g)(1) and 924(a)  
(8)

Felon in possession of ammunition

This criminal complaint is based on these facts:

See attached affidavit of probable cause.

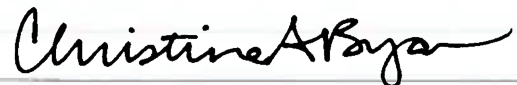
☒ Continued on the attached sheet.

Complainant's signature

ATF SA Seemanth Raj

Printed name and title

Sworn to before me and signed by telephone

Date: March 05, 2024City and state: Houston, Texas

Judge's signature

Christina A. Bryan, United States Magistrate

Printed name and title

Sealed

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**4:24-mj-0095**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Seemanth Raj, being duly sworn, state under oath that:

1. I am currently employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so since 2017. I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy where I received specialized training on criminal violations of Federal firearms statutes. As a Special Agent with the ATF, I am vested with the authority to investigate violations of Federal laws, including Titles 18 and 26, United States Code. I have received training and have experience in the enforcement of laws related to criminal violations of federal firearms statutes to include: the Gun Control Act (“GCA”) (Title 18, United States Code), the National Firearms Act (“NFA”) of 1934 (Title 26, United States Code), and the Controlled Substance Act (Title 21, United States Code). As a result of my training and experience, I am familiar with the criminal offenses relevant to this case.

2. The statements in this affidavit are based on my personal observations, my training and experience, my investigation of this matter, and information obtained from other law enforcement officers and witnesses. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included every fact known to me concerning this investigation. This affidavit is intended to show only that there is sufficient probable cause for the requested complaint.

3. On January 5, 2024, ATF conducted an undercover operation at a home improvement store parking lot located at 1000 Gulfgate Center Mall, Houston, Texas, within the Southern District of Texas. An ATF undercover (“UC”) arrived at the location in an undercover vehicle to make contact with an individual identified as Austin Lee SHOFNER to purchase an AR-


15 style pistol that SHOFNER offered to sell to the ATF UC. The transaction was previously arranged via Instagram. SHOFNER arrived at the location in a white two door BMW sedan. The ATF UC parked the UC vehicle alongside the white BMW. An individual identified as Jazon Evan ELIZONDO exited the front driver's seat of the BMW. A second individual also exited the driver's side of the BMW, whom the ATF UC immediately recognized as SHOFNER.

4. SHOFNER entered the front passenger side of the ATF UC's vehicle. ELIZONDO retrieved a purple pillowcase from the white BMW and then entered the back passenger side of the ATF UC's vehicle. SHOFNER introduced himself as "Austin" and ELIZONDO introduced himself as "Jason." ELIZONDO then pulled out an AR-15 style pistol from the pillowcase and handed it to the ATF UC. The firearm had a reflex style optic attached. The firearm did not have any manufacturer's markings or serial number and appeared to be a privately made firearm ("PMF," often referred to as "ghost guns"). ELIZONDO then handed the ATF UC a drum magazine containing ammunition (later determined to be approximately 40 LC 5.56x45mm rounds). LC ammunition is manufactured at the Lake City Ordnance plant in the state of Missouri. SHOFNER and ELIZONDO spoke to the ATF UC about obtaining additional firearms, suppressors, and "switches" for sale to the ATF UC. I know from my training and experience that "switches" is a slang term for machinegun conversion devices. ATF UC handed ELIZONDO \$1,200 for the firearm.

5. A criminal history check of ELIZONDO showed a felony conviction for Possession of Controlled Substance PG 1<1G, namely Methamphetamine, on February 13, 2020, in the 208th District Court of Harris County, Texas, in cause number 157047101010. Accordingly, ELIZONDO is a convicted felon and cannot lawfully possess firearms or ammunition shipped in interstate commerce in the United States.

6. Based on the foregoing, I believe there is probable cause that ELIZONDO is in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(8), that is, felon in possession of ammunition.

I swear under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Seemanth Raj  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms, and  
Explosives

Subscribed and sworn to before me telephonically this 5th day of March 2024, and I find probable cause.

  
\_\_\_\_\_  
HONORABLE CHRISTINA A. BRYAN  
United States Magistrate Judge